

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

November 16, 2006

Loretta G. Whyte, Clerk  
U.S. District Court  
500 Poydras Street  
Room C-151  
New Orleans, LA 70130

**RECEIVED**  
CHARLOTTE, N.C.

NOV 20 2006

Clerk, U. S. Dist. Court  
W. Dist. of N. C.

Re: MDL-1657 -- In re Vioxx Marketing, Sales Practices and Products Liability Litigation

(See Attached CTO-71)

Dear Ms Whyte:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on October 31, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

**The Panel has ordered that its Rule 1.6(a), pertaining to transfer of files, be suspended for purposes of this litigation. Accordingly, the transferee district clerk shall request, and the transferor district clerk shall forward, only those files deemed necessary by the transferee district court.**

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi

Clerk of the Panel

By



Docket Specialist

Attachments

cc: Transferee Judge: Judge Eldon E. Fallon  
Transferor Judges: (See Attached List of Judges)  
Transferor Clerks: (See Attached List of Clerks)

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

OCT 31 2006

FILED  
CLERK'S OFFICE

DOCKET NO. 1657

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-71)**

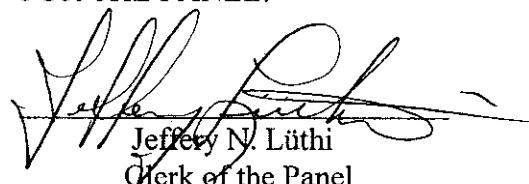
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,677 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

NOV 16 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

DIST. DIV. C.A. #CASE CAPTION

## NORTH CAROLINA WESTERN

NCW 1	06-318	George W. Melton, et al. v. Merck & Co., Inc.
NCW 3	06-406	Thomas A. Sturdivant, et al. v. Merck & Co., Inc.
NCW 3	06-407	Mary M. Howard v. Merck & Co., Inc.
NCW 3	06-408	Suzanne M. Staton, et al. v. Merck & Co., Inc.
NCW 5	06-126	Hazel E. Hagler v. Merck & Co., Inc.
NCW 5	06-127	George C. Trivett, Jr., et al. v. Merck & Co., Inc.

## NEBRASKA

NE 4	06-3229	David W. Bindel, et al. v. Merck & Co., Inc.
NE 4	06-3230	Ivan E. Taege, et al. v. Merck & Co., Inc.
NE 4	06-3231	Hans J. Kaiser, et al. v. Merck & Co., Inc.
NE 4	06-3232	Dee Anna Kaiser, et al. v. Merck & Co., Inc.
NE 4	06-3233	Lavern G. Bieker, et al. v. Merck & Co., Inc.
NE 4	06-3234	Oran J. Obering, et al. v. Merck & Co., Inc.
NE 8	06-633	Angela Stephens, etc. v. Merck & Co., Inc.
NE 8	06-651	Robert Reiling v. Merck & Co., Inc.
NE 8	06-652	Richard Marshall v. Merck & Co., Inc.

## NEW JERSEY

NJ 2	06-4553	Denise Maki v. Merck & Co., Inc.
NJ 2	06-4554	Diane Dickelman v. Merck & Co., Inc.
NJ 2	06-4561	Thomas M. Stuckey v. Merck & Co., Inc.
NJ 2	06-4650	Brenda J. Bolden v. Merck & Co., Inc.
NJ 3	06-4562	Frances Alene Cabbell, et al. v. Merck & Co., Inc.
NJ 3	06-4600	Timothy Cox, et al. v. Merck & Co., Inc.
NJ 3	06-4601	Dianne Kimm, et al. v. Merck & Co., Inc.
NJ 3	06-4602	Tina Hanners, et al. v. Merck & Co., Inc.
NJ 3	06-4603	Robert Lee Garry, et al. v. Merck & Co., Inc.
NJ 3	06-4604	Meridith Gray, et al. v. Merck & Co., Inc.
NJ 3	06-4605	Vern Bronson, et al. v. Merck & Co., Inc.
NJ 3	06-4606	Bobby W. Myatt, et al. v. Merck & Co., Inc.
NJ 3	06-4607	Wilma Adair, et al. v. Merck & Co., Inc.
NJ 3	06-4609	Sherrill Grove, et al. v. Merck & Co., Inc.
NJ 3	06-4611	Donald Hertig, et al. v. Merck & Co., Inc.
NJ 3	06-4613	Oliver Skeet, et al. v. Merck & Co., Inc.
NJ 3	06-4614	Dana D'Zurella, et al. v. Merck & Co., Inc.
NJ 3	06-4617	Wanda Houtz, et al. v. Merck & Co., Inc.
NJ 3	06-4618	Gloria Davis, et al. v. Merck & Co., Inc.
NJ 3	06-4643	Melissa Clark, et al. v. Merck & Co., Inc.
NJ 3	06-4644	Dorothy Aus, et al. v. Merck & Co., Inc.
NJ 3	06-4645	Toby Traven, et al. v. Merck & Co., Inc.
NJ 3	06-4647	Joe Hayes, etc. v. Merck & Co., Inc.
NJ 3	06-4649	Beulah Martin, et al. v. Merck & Co., Inc.
NJ 3	06-4651	Judith Burton, et al. v. Merck & Co., Inc.
NJ 3	06-4652	Yaw Kra, et al. v. Merck & Co., Inc.
NJ 3	06-4653	Margie Acey, et al. v. Merck & Co., Inc.
NJ 3	06-4654	Iva Laws, et al. v. Merck & Co., Inc.
NJ 3	06-4655	Patricia Barrell, et al. v. Merck & Co., Inc.
NJ 3	06-4658	Charles Evans, et al. v. Merck & Co., Inc.
NJ 3	06-4659	Kaye Mangin, et al. v. Merck & Co., Inc.
NJ 3	06-4660	Alta Abston, et al. v. Merck & Co., Inc.
NJ 3	06-4662	Ruth Pannell McNeely, et al. v. Merck & Co., Inc.
NJ 3	06-4688	Raheela Shaffie, et al. v. Merck & Co., Inc.
NJ 3	06-4691	Rahnee Williams, etc. v. Merck & Co., Inc.
NJ 3	06-4759	Gary Fernandez v. Merck & Co., Inc.